

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AMERICAN ENERGY CORPORATION,

PLAINTIFF,

v.

AMERICAN ENERGY PARTNERS, LP, et al.

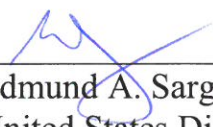
DEFENDANTS.

:
:
: Case No. 2:13-cv-00886-EAS-MRA
:
: Judge Edmund A. Sargus
:
: Magistrate Judge Norah McCann King
:
:

ORDER

The Court hereby ORDERS, upon agreement of the parties in the presence of the Court and for good cause shown, that this action, including Plaintiff's Complaint and Defendants' Counterclaim, is DISMISSED WITHOUT PREJUDICE. The Court further ORDERS that in the event the Non-Compete and Non-Solicitation Agreement found in the version of the Management Services Agreement By and Between AEU Services, LLC and American Energy – Utica, LLC that this Court reviewed *in camera* on September 1, 2015 (ECF No. 177) is amended, modified, or terminated prior to the term specified therein, Defendants will notify Plaintiff, through counsel, by certified mail within 10 business days of such amendment, modification, or termination. It is further ORDERED that this action may be reactivated by Plaintiff or Defendants upon filing of a motion to reinstate this case to the Court's active docket. Such motion shall be accompanied by an affidavit or verified complaint, setting forth the facts and circumstances occurring since the date of this Order that support the moving party's motion for reactivation.

IT IS SO ORDERED, this 9th day of September, 2015.



Edmund A. Sargus, Jr., Chief Judge
United States District Judge

Stipulated and Agreed,

/s/ William G. Porter by /s/ William A. Sieck /s/ John E. Jevicky by /s/ Vladimir P. Belo

William G. Porter, Trial Attorney (0017296)	John E. Jevicky, Esq. (Ohio 0012702)
William A. Sieck, Of counsel (0071813)	Thomas M. Connor, Esq. (Ohio 082462)
Vorys, Sater, Seymour and Pease LLP	DINSMORE & SHOHL, LLP
52 East Gay Street	255 East Fifth Street, Suite 1900
Columbus, OH 43215	Cincinnati, Ohio 45202
Tel: 614.464.5448	Email: john.jevicky@dinsmore.com
Fax: 614.719.4911	thomas.connor@dinsmore.com
Email: wgporter@vorys.com	Phone: (513) 977-8200
mailto: wasiack@vorys.com	Fax: (513) 977-8141

Matthew A. Taylor (PA 62098)
James L. Beausoleil, Jr. (PA 74308)
Jeffrey S. Pollack (PA 91888)
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103
Tel: 215.979.1000
Fax: 215.979.1020
mataylor@duanemorris.com
jlbeausoleil@duanemorris.com
jspollack@duanemorris.com

D. Michael Crites (Ohio 0021333)
Vladimir P. Belo (Ohio 0071334)
DINSMORE & SHOHL, LLP
191 W. Nationwide Blvd., Suite 300
Columbus, Ohio 43215
Email: michael.crites@dinsmore.com
vladimir.belo@dinsmore.com
Phone: (614) 628-6880
Fax: (614) 628-6890

*Attorneys for Plaintiff – Counterclaim
Defendant American Energy Corporation*

*Counsel to Defendants American Energy
Partners, LP & Aubrey McClendon*